whereby levels of the reactant vary with induced endogenous cAMP levels; and

wherein the promoter sequence or synthetic oligonucleotide is that for the glycoprotein hormone alpha subunit that contains a tandem repeat of the CRE consensus sequence, TGACGTCA.

Cancel claim 37.

Amend claim 40 as follows:

40. (amended) cDNA or mRNA expressing human TSH-R stably transfected with a reporter construct comprising cDNA of both

(i) a reactant capable of causing a measurable response when brought into contact with a corresponding substrate, such as a protein

and

(ii) a promoter containing cAMP response elements (CREs), comprising a promoter sequence or synthetic oligonucleotide which contains the CRE consensus sequence, TGACGTCA,

whereby levels of the reactant vary with induced endogenous cAMP levels; and

wherein the promoter sequence or synthetic oligonucleotide is that for the glycoprotein hormone alpha subunit that contains a tandem repeat of the CRE consensus sequence, TGACGTCA.

Cancel claim 41.

Cancel claim 43.

Add the following new claims:

44. (new) A clone according to claim 36, wherein the reactant is an enzyme.

a2

45. (new) A cDNA or mRNA according to claim 40, wherein the reactant is an enzyme.

REMARKS

The non-elected claims are cancelled herewith but may of course be made the subject of a divisional application to be filed at any time during the pendency of the present application.

Base claims 36 and 40 have been amended so as to sharpen their definition of the invention, by adding the subject matter of dependent claims 37 and 41, respectively. Of course, claims 37 and 41 are cancelled as redundant of thus-amended claims 36 and 40. New claims 44 and 45 have been added, to complete the claim schedule.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as unpatentable over LUDGATE et al. ("Use of the recombinant human thyrotropin receptor (TSH-R) expressed in mammalian cell lines to assay TSH-R autoantibodies",